

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.: 10/038,771

Confirmation No. 6313

Filed: January 8, 2002

Applicant(s): Boyd et al.

Title: Method of Making Preforms

Art Unit: 1733

Examiner: Fischer, Justin R.

Attorney Docket No.: 7373/72556

Customer No.: 42798

This Notice of Appeal is being electronically filed with the USPTO's EFS-WEB, on this date, October 10, 2006.

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated May 9, 2006 and the Advisory Action dated September 15, 2006 rejecting claims 1-10, 12-14, 16-20, 22, 23, 25-29, 40, 41, 44, 46 and 47.

☒ The fee for this Notice of Appeal is \$ 500.00 (37 CFR §41.20(b)(1)).

☒ Charge \$ 500.00 to Deposit Account No. 06-1135.

Application No. 10/038,771

Amendment dated October 10, 2006

Reply to the Office action of May 9, 2006 and September 15, 2006

☒ The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this appeal (specifically including the fee for filing a brief in support of this appeal if such brief is filed unaccompanied by full payment therefore, and the fee for filing a request for an oral hearing if such request is made unaccompanied by full payment therefore), or credit any overpayment to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

Date: October 10, 2006

s/Jon A. Birmingham/

Jon A. Birmingham

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